PROOF

STATE OF IOWA

House Journal

THURSDAY, APRIL 13, 2017

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JOURNAL OF THE HOUSE

Ninety-fifth Calendar Day - Sixty-fourth Session Day

Hall of the House of Representatives Des Moines, Iowa, Thursday, April 13, 2017

The House met pursuant to adjournment at 8:32 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Steve McLellan, Altoona United Methodist Church, Altoona. He was the guest of Nunn of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ty Lovejoy from De Soto. He was the guest of Gustafson of Madison.

The Journal of Wednesday, April 12, 2017, was approved.

INTRODUCTION OF BILLS

House File 635, by Isenhart, Anderson, Kearns, Kurth, Staed, Bennett, Steckman, Brown-Powers, R. Smith, Lensing, Oldson, Gaskill, and Winckler, a bill for an act relating to water quality by increasing the sales and use tax rates and conditioning the use of moneys from the natural resources and outdoor recreation trust fund, and including effective date provisions.

Read first time and referred to committee on Natural Resources.

<u>House File 636</u>, by committee on Appropriations, a bill for an act relating to authorized expenditures from the veterans trust fund.

Read first time and placed on the **Appropriations calendar**.

House File 637, by committee on Appropriations, a bill for an act relating to state government operations concerning background checks and investigations of employees of the office of the chief information officer and the credit union division and eliminating the technology advisory council.

Read first time and placed on the **Appropriations calendar**.

SPECIAL PRESENTATION

Wheeler of Sioux introduced to the House, the Orange City Tulip Festival Queen and her court.

The House rose and expressed its welcome.

COMMITTEE REVISION

The Speaker announced the following committee revision effective April 12, 2017:

Ways and Means Holt replaced Forristall

On motion by Wills of Dickinson, the House was recessed at 8:39 a.m., until 12:00 p.m.

AFTERNOON SESSION

The House reconvened at 12:58 p.m., Speaker Upmeyer in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 13, 2017, amended and passed the following bill in which the concurrence of the House is asked:

House File 69, a bill for an act modifying penalties for trespassing.

Also: That the Senate has on April 13, 2017, passed the following bill in which the concurrence of the Senate was asked:

<u>House File 89</u>, a bill for an act authorizing a retirement system merger relating to an alternative retirement system for certain school district employees.

Also: That the Senate has on April 13, 2017, passed the following bill in which the concurrence of the Senate was asked:

House File 184, a bill for an act relating to information required to be contained in petitions for administration of small estates and including applicability provisions.

Also: That the Senate has on April 13, 2017, passed the following bill in which the concurrence of the Senate was asked:

<u>House File 195</u>, a bill for an act relating to requests for notice of probate proceedings.

Also: That the Senate has on April 12, 2017, passed the following bill in which the concurrence of the Senate was asked:

House File 313, a bill for an act requiring the removal of motor vehicles involved in certain accidents from the roadway, and providing a penalty.

Also: That the Senate has on April 13, 2017, passed the following bill in which the concurrence of the Senate was asked:

<u>House File 371</u>, a bill for an act relating to attorney fees and court costs in an action to quiet title after a request for a quitclaim deed.

Also: That the Senate has on April 13, 2017, concurred in the House amendment to the Senate amendment and passed the following bill in which the concurrence of the Senate was asked:

<u>House File 516</u>, a bill for an act relating to the conduct and administration of elections, including voter registration, absentee voting, voter identity verification, signature verification, polling place prohibitions, commissioner duties and certifications, voter misconduct information and reporting, straight party voting, and post-election audits, creating an electronic poll book and polling place technology revolving loan fund, providing penalties, and including effective date and applicability provisions.

Also: That the Senate has on April 13, 2017, passed the following bill in which the concurrence of the Senate was asked:

<u>House File 523</u>, a bill for an act providing medical examiners access to information in the drug prescribing and dispensing information program.

Also: That the Senate has on April 13, 2017, amended and passed the following bill in which the concurrence of the House is asked:

<u>House File 524</u>, a bill for an act relating to controlled substances, including reporting under the drug prescribing and dispensing information program and making penalties applicable.

Also: That the Senate has on April 12, 2017, amended and passed the following bill in which the concurrence of the House is asked:

<u>House File 564</u>, a bill for an act relating to school district funding and authorized expenditures and transfers and including effective date, applicability, and retroactive applicability provisions.

Also: That the Senate has on April 12, 2017, amended and passed the following bill in which the concurrence of the House is asked:

<u>House File 565</u>, a bill for an act relating to public school funding by authorizing the establishment of school district flexibility fund accounts and authorizing the transfer and expenditure of certain unexpended and unobligated funds.

Also: That the Senate has on April 12, 2017, passed the following bill in which the concurrence of the Senate was asked:

<u>House File 569</u>, a bill for an act concerning authorized investment vehicles in a taxsheltered investment program established by the department of administrative services

Also: That the Senate has on April 12, 2017, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

<u>Senate File 442</u>, a bill for an act concerning persons voluntarily excluded from gambling facilities.

Also: That the Senate has on April 12, 2017, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 444, a bill for an act relating to public safety on highways, including the use of electronic communication devices while driving where such use results in death and the establishment of a statewide sobriety and drug monitoring program, and providing penalties.

Also: That the Senate has on April 12, 2017, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 481</u>, a bill for an act relating to the enforcement of immigration laws and providing penalties and remedies, including the denial of state funds to certain entities.

Also: That the Senate has on April 12, 2017, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 501</u>, a bill for an act relating to certain fees collected by the county sheriff.

Also: That the Senate has on April 12, 2017, passed the following bill in which the concurrence of the House is asked:

Senate File 502, a bill for an act relating to banks, credit unions, and certain consumer credit transactions.

Also: That the Senate has on April 12, 2017, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 503</u>, a bill for an act providing for the deferral of unpaid installments and deferral charges for certain interest-bearing consumer credit transactions.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILLS

House File 638, by committee on Ways and Means, a bill for an act relating to the powers and duties of the secretary of state, including requirements for persons filing certain documents or records with the office of secretary of state, business documents or records with the office of secretary of state, the payment of filing fees, and the appropriation of moneys.

Read first time and placed on the Ways and Means calendar.

House File 639, by committee on Ways and Means, a bill for an act relating to the calculation of certain court costs in probate matters, and including applicability provisions.

Read first time and placed on the Ways and Means calendar.

SENATE MESSAGES CONSIDERED

Senate File 481, by committee on Local Government, a bill for an act relating to the enforcement of immigration laws and providing penalties and remedies, including the denial of state funds to certain entities.

Read first time and referred to committee on Public Safety.

<u>Senate File 501</u>, by committee on Ways and Means, a bill for an act relating to certain fees collected by the county sheriff.

Read first time and referred to committee on Ways and Means.

<u>Senate File 502</u>, by committee on Ways and Means, a bill for an act relating to banks, credit unions, and certain consumer credit transactions.

Read first time and passed on file.

<u>Senate File 503</u>, by committee on Ways and Means, a bill for an act providing for the deferral of unpaid installments and deferral charges for certain interest-bearing consumer credit transactions.

Read first time and passed on file.

SENATE AMENDMENTS CONSIDERED House Concurred

Bergan of Winneshiek called up for consideration <u>House File 393</u>, a bill for an act relating to programs and activities under the purview of the department of public health, and including effective date provisions, amended by the Senate, and moved that the House concur in the Senate amendment $\underline{H-1327}$.

The motion prevailed and the House concurred in the Senate amendment H-1327.

Bergan of Winneshiek moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 393)

The ayes were, 93:

Abdul-Samad Anderson Bacon Baltimore Baudler Baxter Bearinger Bennett Bergan Best Breckenridge **Brown-Powers** Carlin Carlson Cohoon Devoe Dolecheck Fisher Forbes Fry Gaines Gaskill Gassman Grassley Gustafson Hagenow Hager Hall Heartsill Hanson Hanusa Heaton Highfill Heddens Hein Hinson Holt Holz Hunter Huseman Jacoby Isenhart Jones Kacena Kaufmann Kearns Kerr Koester Kressig Kurth Landon Lensing Lundgren Mascher Maxwell McConkey McKean Miller Mohr Mommsen Oldson Moore Nielsen Nunn Olson Ourth Paustian Pettengill Prichard Rizer Rogers Running-Marquardt Sheets Sieck Smith, M. Salmon Smith, R. Staed Steckman Taylor, R. Taylor, T. Thede Vander Linden Watts Wessel-Kroeschell Wheeler Wills Winckler Wolfe Zumbach Windschitl Worthan Speaker Upmeyer

The nays were, none.

Absent or not voting, 7:

Bloomingdale Cownie Finkenauer Forristall Klein Sexton

Meyer

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Wills of Dickinson in the chair at 1:05 p.m.

House Concurred

Kaufmann of Cedar called up for consideration House File 601, a bill for an act providing for the confidentiality of certain cyber security and critical infrastructure information developed and maintained by a government body, amended by the Senate, and moved that the House concur in the Senate amendment H-1309.

The motion prevailed and the House concurred in the Senate amendment H-1309.

Kaufmann of Cedar moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 601)

The ayes were, 93:

Abdul-Samad Anderson Bacon Baltimore Baudler Baxter Bearinger Bennett Bergan Breckenridge **Brown-Powers** Best Carlson Carlin Cohoon Deyoe Dolecheck Fisher Forbes Fry Gaines Gaskill Gassman Grassley Gustafson Hagenow Hager Hall Hanson Hanusa Heartsill Heaton Heddens Hein Highfill Hinson Holt Holz Hunter Huseman Isenhart Jacoby Jones Kacena Kaufmann Kearns Kerr Koester Kressig Kurth Landon Lensing Lundgren Mascher Maxwell McConkey

Miller Mohr McKean Mommsen Moore Nielsen Nunn Oldson Pettengill Olson Ourth Paustian Running-Marquardt Prichard Rizer Rogers Salmon Sheets Sieck Smith, M.

Smith, R. Staed Taylor, R. Steckman Taylor, T. Upmeyer, Spkr. Vander Linden Thede Wessel-Kroeschell Watts Wheeler Winckler Windschitl Wolfe Worthan Zumbach

Wills, Presiding

The nays were, none.

Absent or not voting, 7:

Bloomingdale Cownie Finkenauer Forristall

Klein Meyer Sexton

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

CONSIDERATION OF BILL Unfinished Business Calendar

<u>Senate File 431</u>, a bill for an act relating to the siting of small wireless facilities, with report of committee recommending passage, was taken up for consideration.

Vander Linden of Mahaska offered amendment $\underline{H-1337}$ filed by him from the floor and moved its adoption.

Amendment H-1337 was adopted.

Vander Linden of Mahaska moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 431)

The ayes were, 93:

Abdul-Samad Anderson Bacon Baltimore Baudler Baxter Bearinger Bennett **Brown-Powers** Bergan Best Breckenridge Carlin Carlson Deyoe Cohoon Dolecheck Fisher Forbes Fry

Gaskill Gaines Gassman Grassley Gustafson Hagenow Hager Hall Heartsill Hanson Hanusa Heaton Heddens Hein Highfill Hinson Holt Holz Hunter Huseman Isenhart Jacoby Kacena Jones Kaufmann Kearns Kerr Koester Kressig Kurth Landon Lensing Lundgren Mascher Maxwell McConkey McKean Miller Mohr Mommsen Moore Nielsen Nunn Oldson Pettengill Olson Ourth Paustian Prichard Rizer Rogers Running-Marquardt Salmon Smith, M. Sheets Sieck Taylor, R. Smith, R. Staed Steckman Taylor, T. Thede Upmeyer, Spkr. Vander Linden Winckler Wessel-Kroeschell Watts Wheeler Windschitl Wolfe Worthan Zumbach Wills,

Presiding

The nays were, none.

Absent or not voting, 7:

Bloomingdale Cownie Finkenauer Forristall Klein Meyer Sexton

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Bloomingdale of Worth Cownie of Polk

Finkenauer of Dubuque Forristall of Pottawattamie

Klein of Washington Meyer of Polk

Sexton of Calhoun

HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 380 from further consideration by the House.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 393, 601** and **Senate File 431.**

HOUSE FILE 622 REFERRED

The Speaker announced that <u>House File 622</u>, previously referred to committee on **Appropriations** was placed on the **Ways and Means calendar**.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 12, 2017, he approved and transmitted to the Secretary of State the following bills:

House File 52, an Act relating to the criminal offense of interference with official acts and certain county-provided bailiff services, and providing penalties.

House File 133, an Act relating to guardians ad litem, attorneys for minor children, child custody investigators, and child and family reporters involved in child custody and visitation proceedings.

House File 183, an Act relating to service of copies of court documents on certain persons relating to the receipt of emergency protective services by a dependent adult.

House File 202, an Act relating to the solid waste environmental management systems program and beautification grants.

House File 218, an Act increasing the maximum allowable length for single trucks operated on the highways of this state.

<u>House File 241</u>, an Act concerning the administration of the duties of the county commissions of veteran affairs.

House File 254, an Act relating to tagging requirements for deer carcasses and including penalties.

House File 306, an Act relating to the requirements for nurse aide training and testing programs.

House File 307, an Act relating to the procedures for granting a waterworks or sewer services franchise by a city and including effective date provisions.

House File 309, an Act relating to certificates of insurance, including penalties and effective date and applicability provisions.

<u>House File 467</u>, an Act including law enforcement communications systems within the scope of state communications included in the Iowa communications network.

<u>House File 469</u>, an Act relating to the election of commissioners of soil and water conservation districts.

House File 488, an Act relating to nonsubstantive Code corrections.

House File 511, an Act relating to the administration of the state forest nurseries.

House File 529, an Act providing for conformity with federal law relating to civil penalties for violations of the state occupational safety and health law and including effective date provisions.

<u>House File 547</u>, an Act relating to background investigations conducted by the department of human services.

House File 576, an Act relating to background investigations of individuals employed through temporary staffing agencies with certain health care providers.

<u>House File 584</u>, an Act concerning the duties of the department of veterans affairs relative to veteran exposure to Agent Orange.

House File 591, an Act relating to physician supervision of physician assistants, and including effective date and retroactive applicability provisions.

<u>Senate File 230</u>, an Act concerning payment of insurance premium costs by members and full-time employees of the general assembly and including effective date and applicability provisions.

Senate File 257, an Act relating to bass fishing in the state.

<u>Senate File 358</u>, an Act relating to search warrants, by allowing an application for and the issuance of a search warrant by electronic means, and allowing for the written inventory of any property seized to be filed with the clerk of the district court, and including effective date provisions.

Senate File 439, an Act relating to the disposal or return of certain notices and certificates filed or recorded during certain periods of time.

<u>Senate File 462</u>, an Act relating to the transfer of moneys collected by the office of the chief information officer for furnishing certified abstracts of drivers' operating records.

Senate File 472, an Act relating to snowmobile registration and use of moneys from the special snowmobile fund.

Senate File 479, an Act relating to the performance of educational services by licensed dental hygienists.

Also: On April 13, 2017, he approved and transmitted to the Secretary of State the following bills:

House File 441, an Act relating to the use of child labor in laundry occupations.

House File 471, an Act relating to election precinct boundaries and consolidations.

<u>House File 475</u>, an Act relating to the use of a straight wall cartridge rifle to hunt deer and including penalties.

House File 517, an Act relating to offensive and dangerous weapons, and the justifiable use of reasonable and deadly force, including carrying, possessing, transferring, and acquiring weapons, the purchase and regulation of such weapons, providing penalties, and including effective date and applicability provisions.

House File 533, an Act relating to disqualification from eligibility for unemployment benefits and including effective date provisions.

House File 541, an Act relating to licensed real estate professionals and real estate disclosure statements.

House File 542, an Act relating to eligibility requirements for individuals claiming unemployment insurance benefits in consecutive benefit years and including effective date provisions.

House File 568, an Act relating to pari-mutuel wagering, including horse and dog racing medication requirements and the applicability of certain setoff procedures to advance deposit wagering operators and including effective date provisions.

House File 572, an Act relating to employment services programs administered by the department of workforce development by modifying the membership requirements and duties of the Iowa workforce development board and authorizing the department to carry out unemployment insurance systems modernization, making appropriations, and including effective date provisions.

<u>Senate File 250</u>, an Act establishing a notification requirement for mammogram reports to patients, and including effective date provisions.

<u>Senate File 355</u>, an Act relating to municipal utilities, by restricting the regulatory authority of the Iowa utilities board with regard to certain services, and authorizing city utilities to require deposits for gas or electric services for residential rental properties.

<u>Senate File 373</u>, an Act relating to service in the national guard and reserve components of the armed forces, including applicability of reemployment protections, and military justice jurisdiction and statutes of limitation.

Senate File 413, an Act relating to statute-of-repose periods for improvements to real property and including applicability provisions.

<u>Senate File 438</u>, an Act relating to bidding and contracting for public improvement projects, making penalties applicable, and including effective date and applicability provisions.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 203 Appropriations

Relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

H.S.B. 204 Appropriations

Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the revenue bonds capitals fund, providing for related matters, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENT

House File 632

Ways and Means: Maxwell, Chair; Kearns and Pettengill.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly <u>House File 536</u>), concerning manufactured homes by creating a manufactured housing program fund.

Fiscal Note: No

Recommendation: Amend and Do Pass April 12, 2017.

Committee Bill (Formerly <u>House Study Bill 196</u>), relating to career and technical education programs and partnerships and including effective date provisions.

Fiscal Note: No

Recommendation: Amend and Do Pass April 12, 2017.

Committee Bill (Formerly House Study Bill 199), relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and including effective date provisions.

Fiscal Note: No

Recommendation: Do Pass April 12, 2017.

Committee Bill (Formerly House Study Bill 200), relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters.

Fiscal Note: No

Recommendation: Amend and Do Pass April 12, 2017.

COMMITTEE ON GOVERNMENT OVERSIGHT

Senate File 499, a bill for an act prohibiting the use of certain monitoring devices in certain locations open to the public, and including effective date provisions.

Fiscal Note: No

Recommendation: Do Pass April 12, 2017.

Committee Bill (Formerly House Study Bill 191), relating to health data collection

and use.

Fiscal Note: No

Recommendation: Amend and Do Pass April 12, 2017.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 194), relating to county funding of mental health and disability services by modifying the mental health and disability services property tax levy and certain county hospital property tax levies, requiring the use of specified reserve funds, and including effective date and applicability provisions.

Fiscal Note: No

Recommendation: Amend and Do Pass April 13, 2017.

Committee Bill (Formerly House Study Bill 197), relating to property tax assessments, composition of conference boards, and property assessment protests and appeals, and including applicability provisions.

Fiscal Note: No

Recommendation: Amend and Do Pass April 13, 2017.

AMENDMENTS FILED

<u>H-1335</u>	S.F.	475	Wheeler of Sioux
<u>H-1336</u>	S.F.	475	Nielsen of Johnson
<u>H-1337</u>	<u>S.F.</u>	431	Vander Linden of Mahaska
<u>H-1338</u>	<u>H.F.</u>	<u>565</u>	Senate Amendment
<u>H-1339</u>	<u>H.F.</u>	<u>564</u>	Senate Amendment
<u>H-1340</u>	<u>H.F.</u>	69	Senate Amendment
<u>H-1341</u>	<u>H.F.</u>	524	Senate Amendment
<u>H-1342</u>	<u>S.F.</u>	475	Wheeler of Sioux
<u>H-1343</u>	S.F.	475	Mascher of Johnson

On motion by Hagenow of Polk, the House adjourned at 1:16 p.m., until 9:30 a.m., Friday, April 14, 2017.